CONFIDENTIAL

XXIV

195 [illegible] File No. NS-913

B CLASS

PWD DEPARTMENT

P. BRANCH

Subject:— Representations

232

13(K)

XXIV

File No. NS-913

Ed. Scott. Slip. 24 A

Std. Scott. 78A a.

G.R., G D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No._____

_____DEPT.

_____BRANCH.

References :—

Separated from Main file 13(M)

Date.	To whom sent.	Notes and instructions.

-5 155

Copy of the application dated 12th January 1950
addressed to the Secretary to the ovt. of Bombay
and submitted through the proper channel

Subject:- appeal for justice: in connection with Seniority list in P.H.Circle

Sir

I the undersigned beg to lay before your kind honour the following few lines for favour of consideration.

2/- I am working in the Public Health Works Department since 1935. In 1935-1936 I worked in the workcharged Establishment. In April/36 I was posted in the temporary post of cashier in Salsette Water Supply Subdivision. In 1941 I was brought in the permanent list of clerks of the Northern Circle(Now B mbay ircle). In 1945 my services were transferred to the Public Health Circle in the interest of Public Service.

3/- But unfortunately for me on transfer of my services to the P.H.Circle my seniority since 1935 to 1945 has been ignored. Since October 1945 almost all the persons promoted to the grades of Senior Clerks and Senior Account Clerks are junior to me. On making reference to the Public Health Engineer in the matter I was transferred to Karnatak P.H.Works Dn. Dharwar ~~in April 1948~~, as senior clerk in April 1948.; but the problem of my seniority remained to be solved: as —

(a) Junior persons promoted to the higher grades prior to me have become senior in those grades, and are being made permanent in those grades and are being given further higher grades. As these clerks are junior to me in service as well as in age my further prospects are permanently barred

(b) By not granting me the post due to me in proper time I am put put to a financial loss.

4/- This fact was brought to the notice of the P.H.E. to Govt., but he replied "the claims have been duly considered and the application needs not further consideration."

But I may point out that my case has not been properly considered; as I learn that some persons junior to me have been promoted to the Senior Accounts Clerks Grade even after my appointment as Senior Clerk.

The List of Seniority of Clerks has never been circulated since October 1945 nor the same has been furnished even after my request.

5/- I may beg to state here, that the injustice as above is caused to me withour any fault or drawback on my part. This my statement can be ascertained by you from any of my immediate superiors officers under whom I worked since 1935(All the S.D.Os. of Salsette Water Supply Subdivision, and the Executive Engineer K.P.H.W.Dn. since 1948). No drawback has been communicated to me so far.

Regarding my statement of seniority- I am prepared to prove my seniority if the records of all the promoted persons are made open to me.

6/- In the circumstances, Sir, I have no other alternative but to disturb your honour and beg for justice. My case, therefore, may please be considered and —

(a) My seniority as on 21-10-1945 may be fixed in the P.H.Circle taking into consideration my services since 1935 as is done in other cases in the Public Health ircle.

(b) My further promotions and increments and confirmations in the due posts may be regulated in accordance as per principles laid down in Govt. P.W.D.letter No. 7173/36-V-E(II) dated 14th December 1948.

(c) I may be granted the difference of pay with retrospective effect.

Hoping to be excused

True copy

S B Joshi

To

The Secretary
to the Government of Bombay (P.W.D.)
B O M B A y

Subject:- Appeal for justice- in connection with seniority of Shri. S. B. Joshi in P.H.Circle.

Respected Sir,

In continuation of my application dated 12th January 1950, addressed to you and submitted through the Public Health Engineer to Govt. of Bombay, Poona, I humbly beg to bring to your kind notice that though I am now promoted to the ~~po~~ post of Senior Accounts Clerk on the temporary establishment of ~~t~~ the Karnatak Karnatak Public Health Works Division Dharwar, my promotion has not still been done according to seniority kindly ordered to be fixed by the Government with retrospective effect from March 1941 on the permanent establishment according to Govt. letter No. S-12/2875-E-(II) dated 29th Jan 1949.

2/- I also find that some of the clerks junior to me and promoted to the post of Senior ~~Clerks~~ Accounts Clerks have been made permanent in that cadre and have been promoted to further hi higher grade by sidetracking my seniority even after your above mentioned letter.

3/- It is learnt that the question of fixing seniority will be decided along with the seniority of servants of merged states yet to be fixed. By this action injustice caused to me by not fixing my seniority promptly with effect from 1941 has added greatly to the financial loss already suffered by me by not fixing my seniority as on 21.10.45 B.N. (i.e. from the date of my transfer to P.H.Circle) long before the merger of states.

(1) I am not a servant from merged state.
(2) I am transferred to P.H.Circle from Bombay Circle in 1945 i.e. long before the merger of states
(3) As such my seniority is to be fixed first and relative seniority of state servants is to be fixed along with the subordinates in service of P.H.Circle before the merger of states.

4/- I attach herewith a statement showing the names and approximate dates of some of the clerks junior to me but promoted to higher posts by sidetracking my seniority. Seniority list of clerks in Public Health Circle has never been circulated since 19 1945 and hence the exact dates could not be had.

5/ In the circumstances I appeal to you kindly to arrange to fix my seniority in Public Health Circle as already ordered by Government and promote me to the post due to me and grant me the difference of pay with retrospective effect.

For which act of kindness I remain grateful

Dharwar
29-8-1951

Your Obedient Servant

Respectfully submitted through the Executive Engineer Karnatak Public Health Works Division Dharwar.

—×—

- copy submitted with respects to the Secretary to the Govt of Bombay, in advance, together with (1) copy of application dt 12-1-50 and (2) extract of Govt letter no. S-12/2875-E (II) dt 29-1-1949 for ready reference.

12/9/51

NS 93/ 81135

F. B.

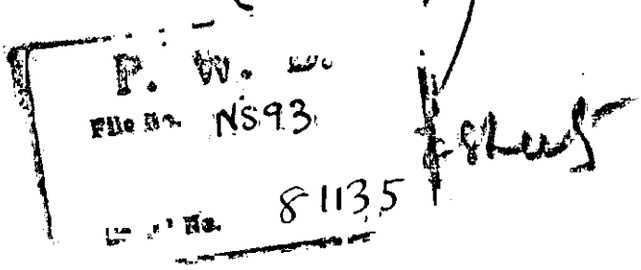
9.2.D

Receipt of signed representation
that the proper channel may
be curtailed.

SAD
26-9-57.

S. A-S.
24/9/57.

F 21/9



F

20 · 9 · 57

Comparative statement of seniority of S. B. Joshi
with some of the clerks in Public Health Circle

	Shri Honatti. P.H.E's office	Shri Nagpurkar P.H.E's office	Shri Mudaliar E.P.H.E. Dn Nasik	Shri R.M.Sathe C.P.H.W.Dn Poona	Shri Deshpande E.P.W.H. Dn Nasik	Shri Kulkarni C.P.H.W.Dn Poona	Shri V.G.Joshi N.P.H.W. Surat	Shri Kshirsagar C.P.H.W.Dn Poona	Shri S. B. Joshi K.P.H.W.Dn Dharwar.
Year of entry in service	1...	1942	1938	1939	1945	1934	1940	1925	1935
Year of making permanent in clerical cadre		1944	1943	1943	..	1945	1945	1945	1941
Year of Promotion to senior grade	1948	nil	nil	nil	1948	1947	1947	1947	1948 (April)
Year of Promotion to S.A.C	1948	1947	1947	1947	1950 February	1948	1950 March	1948	1950 (July)
Made permanent as S.A.C.	..	1949	1949	1949	..	..	..	..	..
Promoted to grade 140-10-190		1949	1950	..	..	..	..	...	..

Note:- The dates given are approximate. Exact dates could not be given as no seniority list has ever been circulated since 1945 even requested to do so.

S B Joshi

H765

8525
C.7(e)1A
29.8.57

Dharwar
29-8-1951

To

The Secretary
to the Government of Bombay(P.W.D.)
B O M B A Y

Subject:- Appeal for Justice--in connection with Seniority of S.B.Joshi in P.H.Circle.

Respected Sir,

In continuation of my application dated 12th January 1950, addressed to you and submitted through the Public Health Engineer to Government Poona, I humbly beg to bring to your kind notice that though I am now promoted to the post of Senior ACCOUNTS Clerk on the Temporary Establishment of the Karnatak Public Health Works Division, my promotion has still not been done according to seniority kindly ordered to be fixed by the Government with retrospective effect from 28th March /41 on the permanent according to Government letter No. S-12/2875--E-(II) dated 29th Jan 1949

2/- I also find that some of the clerks junior to me and promoted to the post of Senior Accounts Clerks have been made permanent in that cadre and have been promoted to the further higher grade by sidetracking my seniority even after your above mentioned letter.

3/- It is learnt that the question of fixing seniority will be decided along with the seniority of servants of merged states, yet to be fixed. By this action injustice caused to me by not fixing my seniority promptly with effect from 1941 has added greatly to the financial loss already suffered by me by not fixing my seniority as on 21-10-1945 B.N. (I.E. from the date of my transfer to Public Health Circle.)long before the merger of states.:-

(a) I am not a servant from merged state
(b) I am transferred to Public Health Circle from Bombay Circle in 1945 i.e. long before the merger of states
(c) as such my seniority is to be fixed first and relative seniority of state servants is to be fixed along with the subordinates in service of P.H.Circle before the merger of states.

4/- I attach herewith a statement showing the names and approximate dates of ~~xxxxxxxxx~~ some of the clerks junior to me but promoted to higher posts by sidetracking my seniority. Seniotity list of clerks in Public Health Circle has never been circulated since 1945 and hence the exact dates could not behad.

5/- In the circumstances I appeal to you kindly to arrange to fix my seniority in Public Health Circle as already ordered by the Government, and promote me to the post due tome and grant me difference of pay with retrospective effect.

For which act of kindness I remain grateful.

Your Obedient Servant

S B Joshi
Clerk Karwar

—x—

Respectfully submitted through the Executive Engineer Karnatak P. Works Dn. Dharwar

P.T.O.

OFFICE OF THE P. H. E. TO G
Diary No. 22899 195
10/9

No.G.7(c)/A/ 5416 of 1951.,
Karnatak Public Health Works Dn.,
Dharwar, 6th September 1951.

Forwarded with compliments to the Public Health Engineer to Government, Poona, for favour of further disposal, with reference this office Nos.G.7(c)/A/1331 dated 23-2-1951 & G.7(c)/A/3198 dated 23-5-1951.

Executive Engineer,
Karnatak Public Health Works Divn.

MRB/4.9.

P. W. D.
File No.
Serial No.

Below application dated the 27th August, 1951, from Shri.S.B. Joshi, temporary Senior Accounts Clerk, addressed to Government in the P.W.D., as received under the Executive Engineer, Karnatak Public Health Works Division, Dharwar's endorsement No.C-5(67)/A-5416, dated the 6th September, 1951, regarding His seniority.

Confidential. No.KSD.33/C/ 350 of 1951.

Poona 1, 10th October, 1951.

Passed on with compliments to the Secretary to Government, Public Works Department, Bombay.

2. The representation of the clerk is based on the orders of Government issued in P.W.D. letter No.S.92/2875-L(II), dated the 27th January 1949, which he does not appear to have correctly understood in proper perspective. In fact Shri. Joshi's seniority has been maintained intact in this Circle and there has been no supersession to him on any account.

3. Shri.S.B.Joshi, was transferred to this Circle as Cashier on temporary establishment along with the other establishment of the Salsette Water Supply Sub-Division, in October 1945, when he had a lien on the permanent junior Clerk's posts in the Bombay Circle. The Superintending Engineer, Bombay Circle, ultimately terminated his lien on the permanent junior Clerk's posts on 1-10-1948 and transferred it to this Circle. For any promotion to Senior Clerk's or Senior Accounts Clerk's post between March 1941 and 1-10-1948, according to his relative seniority in the Bombay Circle where he had his lien on the permanent junior clerk's posts, it was upto that Superintending Engineer to grant him such promotions and send copies of such orders to this Circle for information. Shri. Joshi was thus taken up in this Circle as a permanent junior Clerk with effect from the 1st October 1948 and his seniority as a permanent junior clerk was fixed vis-a-vis other permanent junior clerks in this Circle, after taking into account all the promotions due to him in the permanent junior clerk's post since 27-3-1941, as instructed in the above Government orders. Shri. Joshi's contention that his case for promotion to permanent senior clerk's and Senior Accounts Clerk's post should have been considered by this Circle along with others since the date of his transfer on temporary establishment viz. October 1945 till the date of transfer of his lien on the permanent post from the Bombay Circle to this Circle i.e. on 1-10-1948, is not correct, for so long as he was borne on the consolidated list of permanent clerks of the Bombay Circle, the question of considering his relative seniority on the consolidated list of permanent clerks in this Circle during that period, does not arise and he cannot think of preferential treatment in both the Circles. Thus Shri.Joshi cannot in any way be placed above other clerks who were substantively promoted to higher grades prior to 1st October 1948, as he was out of the picture of permanent clerks in this Circle upto 1st October, 1948. Shri. Joshi has thus no reasonable grounds to content or to complain against the promotions ordered in this Circle prior to the transfer of his lien to this Circle.

4. Subsequent to the transfer of his lien as a junior permanent Clerk his case was considered for promotion to permanent senior clerk's post vis-a-vis other clerks and he was promoted as Senior Clerk in April 1949 on permanent establishment and then as Senior Accounts Clerk in 9/50 on the temporary establishment.

5. I do not, therefore, consider that he has been superseded by any of his juniors as contemplated by him in the statement accompanying his representation. All the arguments advanced by Shri. Joshi in his representation are based on the wrong hypothesis that he was borne on the consolidated list of permanent clerks in this Circle since the date of his transfer to this Circle along with the establishment of the Salsette Water Supply Sub-Division.

6. As regards the preparation of the consolidated seniority lists for the various establishment in this Circle, I am to state that

P.T.O.

that Government is aware of the fact that this Circle has undergone good many changes by way of re-organisation, merger of States, inauguration of new offices, etc., which involved a considerable increase in the work of this office. The seniority lists could not, therefore, be prepared for want of a complete data, so far. However, allattempts are being made to finalise the same as early as possible.

D.A.
10-10-51.

Public Health Engineer
to Government.

Copy f.w.cs. to the Executive Engineer, Karnatak Public Health Works Divn., Dharwar, for information.

P. W. D.
File No. 429/48(3)
WS 93
Serial No. 68074

NS 93/88074.

P.W.D.

F.B.

Submitted.

2, Shri S. B. Joshi, temp. Senior Accounts Clerk, has represented about fixation of his seniority in the Public Health Circle. Shri Joshi was first appointed as a work-charged karkun in the Bombay Circle in 1935. He was taken up as a Sub-Divisional Clerk on permanent establishment in 1941. In 1945, Shri Joshi was transferred to the P.H. Circle along with other establishment of the Salsette Water Supply Sub-Dn. However, his lien on permanent establishment was kept in the Bombay Circle till 1948 when he was absorbed on permanent establishment in the Public Health Circle. The P.H.E. to Govt. was informed that Shri Joshi's seniority should be considered from the date he was taken up on permanent establishment of the Bombay Circle, i.e., ~~1949~~ 1941 and he should be given due promotion in the clerical establishment in consideration thereof, vide G.L. No.S-92/2875-E(II), dated the 27-1-49.

Shri Joshi now states that some of the clerks junior to him have been taken up as Sr. Accounts Clerk on permanent establishment and have even been promoted to higher grade by side-tracking his seniority. He, therefore, requests for refixation of his seniority in the light of orders issued in G.L. referred to above. The P.H.E. reports that Shri Joshi had a lien on the permanent junior clerk's post in the Bombay Circle till 1948. His lien was subsequently terminated and he was taken up as a permanent junior clerk with effect from the 1-10-48. His seniority as a permanent junior clerk was also fixed vis-a-vis other permanent junior clerks in the Public Health Circle after taking into consideration all promotions due

15 - 1

due to him as directed in G.L. No.S.92/2875-E(II), dated the 27-1-49. As regards Shri Joshi's contention that his seniority should have been fixed with effect from the 1945, the year of his transfer to the Public Health Circle, the P.H.E. states that he was borne on permanent clerical establishment of the Bombay Circle till 1948. In view of this, the question of fixing his relative seniority on the consolidated list of permanent clerks of Public Health Circle does not arise and Shri Joshi cannot be placed above those clerks who were substantively promoted to higher grade prior to 1948. The view taken by the P.H.E. appears to be correct. Shri Joshi may be informed that his request to refix the seniority and to grant the difference of pay with retrospective effect cannot be granted.

Hons.
~~22-10-51~~
22-10-51

DRN.
20.10.51.

It is presumed that till 1948 or till the date Shri Joshi was borne on the establishment of Bombay Circle, he got his due promotions in that Circle

D.S.
Dy. C.E.

29-10-51.

1/11

F.B. 29/10/51 DS 93/88074

P.M.P.

submitted with ref. to the
D.S.'s note within
2. Shri S.B. Joshi, clerk, was borne
on permanent establ. of
the Bombay Circle till the
1-10-1948, and he must
have received due promotions
in that Circle for the period
in question. However, the
S.E. B.C. may be requested u.o.
to confirm the above
presumption.

6-11-51

6/11/51

D.S. U.O.N. to the S.E., B.C., & the
7th Nov. 1951.

8-11-51

Returned to the Chief Engineer, Public Works Department, Bombay.

2. Shri S.B.Joshi,was borne as a Junior Clerk on the permanent establishment of this Circle cadre till the 1st October 1948, when he was absorbed on the clerical cadre of the Public Health Circle. The question of promotion of Shri S.B.Joshi in this Circle till the date of his -- absorption in the Public Health Circle does not arise, since persons senior to Shri Joshi on this Circle list are still continued to be borne as junior clerks on this Circle cadre.

9/1/52
Suptg.Engr.,B.C.

CONFIDENTIAL.

u.o.r.No.G.55/254.
Public Works Department,
Bombay(No.1) 8th Jan.1952.

9-1-52

CF/DK. 8/1.

P. W. D.
File No. NS. 93
Serial No. 2626.

9/1

F.B. ff 1-3 MS 43/2626

g N.B

Submitted with ref. to this
Deptt. u.o.n. dated the 9-11-51 ff 1-7
2. Pl. see the o.n. dated ff 15-16
the 22-10-51. of the S.E., B.C.
states that the persons ff 1-8
who are senior to Shri S.B. Joshi
temp. Senior Accounts Clerks,
are still continued to the
borne as Junior clerks on
the Circle cadre. In view of
this, the draft put up (ff 21 post)
for approval, may issue.

11.1.52

D.S. 12.1.52

C.E: See portion A (red pencil) in the office note Dft. 15. If the P.T.E was instructed to count Joshi's seniority from 1941, when he was made temporary in the B.C. he must take it back this

20.4

rank on the cadre of the P.H.C
since 1941. That's from the date
he went to the circle. Why
is that denied to him.

12.7.52

Confdl. Secte P m D.

No. PS 43/2626 F

B C C Bombay
4th Feb 1952.

To

The P. H. E to Govt

Subject Fixation of seniority of Shri S. B. Joshi temp. Senior Accounts Clerk

J. 13

Ref your endt. No. PSD. 33/C/350, dated the 11 to 51.

2. Shri S. B. Joshi, temp. Senior Accounts Clerk, should please be informed that his request to refix his seniority and to grant him the difference of pay with effect from the 28-13-1941 cannot be granted.

Yours etc

DA Nil.

11-1-52

4/2/52

No.G.55/580
Public Works Department,
Bombay(No.1) 15th Jan.1952.

To

The Chief Engineer,
Public Works Department, Bombay.

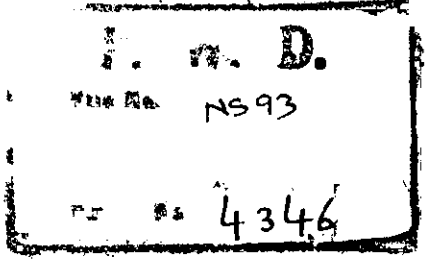
Subject:- Representation of Shri S.B.Joshi.

Reference: Government P.W.D. u.o.r.(Expeditor)No.NS.93/88074-F, dated 10th Jan.1952.

2. The Government u.o.r. dated the 7-11-1951, referred to in the expeditor under reference has been already returned with a reply vide this office u.o.r.No.G.55/254 dated 8-1-1952.

Superintending Engineer, B.C.

LNV/DK.15/1/52.


I. W. D.
NS93
4346

F.B

NS 93/434

9 pm.D

Resubmitted with ref. to the
ff 19-20
Ch. Engr's note within.

2. Shri S. B. Goshi, temps. senior Accounts clerk, was transferred to the Public Health Circle in Oct 1945, when he had lien on the permanent senior clerk's post in the Bombay Circle of the S. E., B. C. terminated the lien on the 1-10-48 and transferred it to the Public Health Circle As Shri Goshi was borne on the consolidated list of permanent clerks of the Bombay Circle till the 1-10-48 his relative seniority on the consolidated

list of permanent clerks in the Public Health Circle during that period could not be fixed.

The P.H.E. in fact has also stated that Shri Joshi's seniority as a permanent senior clerk was fixed vice-a-vice other permanent senior clerks in the Public Health Circle and after taking into consideration all promotions due to him in the permanent senior clerk's post since 1941 as directed in G.L. No S-42/2875-E(II), dated the 27-1-49. If Shri Joshi had remained in the

Sd. J 11
Jd. 11
IX
Sd. J 11
Jd. 11

Bombay Circle, he would have continued to be borne as Senior Clerk in that Circle cadre as persons seniors to him are still continued to be borne as Senior Clerks. In the circumstances the direct ex Surgeon may now issue

H.A
25.1.52

30/1/52

~~I.S.I.~~

ex Surgeon.

2
2.2.52

for P. I/Auth
4/2/52

To

The Secretary
to the Government of Bombay (P.W.D.)
BOMBAY

Subject:- Establishment- Seniority of Shri. S. B. Joshi in Public Health Circle.

SIR,

I humbly beg to refer your honour to my application dated 29th August 1951 submitted through the Public Health Engineer to Government of Bombay, under his No. ESD-33-C/350 dated 10th October 1951.

It is now over three months the application is under your consideration. I learn that during last 18 months more than three posts of Senior Accounts Clerks in permanent establishment have fallen vacant, and they are being filled up by the Public Health Engineer now. If the orders from Government are delayed, I am afraid, that there will be more supercessions over my seniority.

I, therefore, beg to request you again to communicate your decision to me without delay.

Hoping to be excused.

Your Obedient servant

S B Joshi

Submitted through the Executive Engineer, Karnatak Public Health Works Division Dharwar for further disposal.

Advance Copy Submitted with respects to the Secretary to the Govt of Bombay P.W.D. for an early reply.

S B Joshi
15/7/52

NS. 93/16117

F.B. P.W.D.

Necessary orders in the matter have already been passed vide C.L. at p. 21 ante. No further action, therefore appears necessary on these papers, which may be recorded.

A.S.

NS93

16111

Secret.
Very Urgent.

No.K.S.D.33.C/ 58 of 1952.

Poona 1, 7th March, 1952.

To

The Secretary to Government,
Public Works Department, Bombay 1.

Subject :-Fixation of seniority of
Shri.S.B.Joshi, temporary
Senior Accounts Clerk.

Ref. Reference - Correspondence ending with Government Secret letter No.NS-93/2626-F, dated the 4th February, 1952.

2. It is presumed that March 1951 is a typographical mistake for March 1941, appearing in the concluding portion of paragraph 2 of the above letter. Kindly confirm.

D.A.Nil.
5-3-52.

Public Health Engineer
to Government.

E.B

C.M.D

P. W. D.
File No. NS. 93
Serial No. 23883.

10/5

submitted with a slight

flow extrovert.

13-3-52

13/3/52

S.A.S

=5.5

~~3~~ 5 (8)

No. MS 43 | 23883 F (confl.) (Secret) Letter

P. M. D.

B. C. (Bombay P. D.)

14th March 1952

To

The P. H. E. to Govt

Subject. Fixation of seniority of Shri S. B. Joshi temps Senior Accounts Clerk.

Ref your letter No. PHS 2.33.C (Secret) 731 58, dated the 7-3-52

2. The presumption made in para. 2 of your letter ref. to

3.7

above

13.3.52

Bgorder cls

D.A. PK

CAS

Issued.

14/3/52

35 is-1

Below Copy of Government Letter P.W.D.No.
S.92/2875-E (II) dated 27th JAN. 1949 addressed to the P.H.E.

.....

Subject:- Representation of Shri S.B.Joshi
Temporary Senior in K.S.Dn.

Reference:-Your No. 399 dated 13th JAN. 1949.

Mr. Joshi's seniority should be considered from the date he was taken up on the permanent Establishment of the Bombay Circle and should be given due promotions in the Clerical Estt., in consideration thereof.

Sd/ D.N.Daruwalla
For Dy. Secretary to
Govt. of Bombay.

True Copy.

SB Joshi

37 191

Copy of the Office order from the Superintendence Engineer, N.C.'s No, G/62/D/65 dated 3rd May 1941.

.....

Mr. S.B.Joshi, cashier in Thana Sanitary and Salsette Water Supply Sub-division, is hereby appointed to the permanent sub-divisional clerk in the grade 30-5/3-75 from 29th March 1941 in the vacancy caused by the retirement from that date of Mr. C.H.Doshi, permanent Sub-divisional clerk; and deputed to hold the post of cashier in the Thana Sanitary and Salsette Water Supply Sub-division from that date.

While holding the post of cashier Mr. Joshi would be paid at Rs. 55/- which is the present pay of the post.

.....

True Copy

S B Joshi

34 193

Extract of Revised Govt. Orders communicated
to Shri S.B.Joshi, under E.E.

.....

K.P.H.W.Dn.'s No. 1409
dated 29-2-52.

The Government under their No. N -S-93/2626 F dated 4-2-52 have informed that the request of Shri S.B.Joshi to re-fix his seniority and to grant him the difference of pay from 28-3-41 cannot be granted.

.....

True Copy

S B Joshi

4T 195

Extract of Office Order No. 151 of 1948 dated 21.4.48.
of Ex. Engr. Poona Water Works Dn.-

.....

1. Mr. S.B.Joshi, Sub-Divisional Clerk, and Cashier, on temporary Establishment of Salsette Water Supply Sub-Division, appointed as a Senior Clerk on Rs. 92/- per month in the grade of 92-8-140 plus the allowance as admissible on the temp. Estaboishment of the Karnatak Sanitary Dn., Dharwar.

.....

True Copy

SB Joshi

COMPARATIVE STATEMENT OF SENIORITY OF S.B. JOSHI UNDER SUPERVISOR OF THE CLERKS IN PUBLIC HEALTH CIRCLE PROMOTED TO SENIOR ACCOUNTS CLERKS POSTS.

	Shri. Honatti.	Shri. Nagpurkar.	Shri. Mudliar.	Shri.R.M. Sathe.	Shri. Deshpande.	Shri. S.S. Kulkarni.	Shri.V.G. Joshi.	Shri. Kshirasagar.	Shri. S.B. Joshi
1. Year of Entry in service.	1945.	1942	1938	1939.	1945	1934	1940	1925	1935
2. Year of making permanent in Clerical cadre.	Nil. (A)	1944	1943	Some time after 1942	..	1945	1945	1945	1941
3. Year of Promotion to Senior cadre.	1948.	nil	nil	nil	1948	1947	1947	1947	1948 April.
4. Year of Promotion to Senior Accounts Clerk's post.	1948	1947	1947	1947 ~~February~~	1950 ~~1948~~ February.	1948 ~~1950~~ ~~March~~	1950 ~~1948~~ March	1948.	1950 July
5. Made permanent in post of S.A.C.	..	1949	1949	1949	..	(B)	..	..	..
6. Promoted to the grade of 140-10-190.	...	1949	1950	1951	..	...	..	..	...

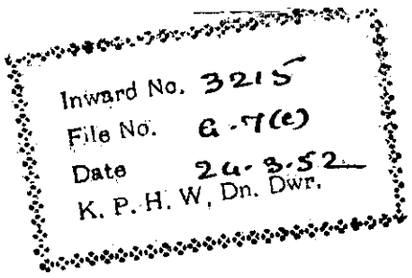
The dates given are approximate. Exacts dates could not be had as no seniority list has ever been circulated since 1945. It will be see that ~~some~~ persons are made permanentin the higher grade, some others promoted to higher posts side tracking the seniority of S.B. Joshi even after January 1949, i.e. the date of Govt. orders.

(A) It is learnt that he is since made permanent.

(B) It is now learnt that he is since made permanent.

S B Joshi

64-179



TO,

HIS EXCELLENCY THE GOVERNOR of BOMBAY,
BOMBAY STATE.

SUBJECT:- Appeal for Justice
Seniority ~~of~~ of Shri. S.B.JOSHI
in the Public Health Cirdle
Bombay State.

SIr,

Begging to be excused for intruding ~~upon~~ upon your valuable time, I most respectfully solicit your permission to submit the following few facts for favour of your due and sympathetic consideration and favourable action.:-

2. I entered the Government service in Bombay P.W.D. in the year 1935 on work charged Est. at Salsette Water Supply Sub-Division of the Thana Division of the Northern Circle (now Bombay Circle). I was promoted to the temporary establishment in the year 1936 as a cashier in the same Sub-division. In the year 1941 I was confirmed as a clerk in the grade 30-5/3-75 and was deputed to the temporary post of the cashier, the post which I was continuing from 1936. In the year 1945 I was transferred to Public Health Circle en-block with the staff of Salsette Water Supply Sub-division.

3. Owing to my transfer to a new circle, I was not able to know my seniority. Moreover, the --

seniority list of clerks was not also circulated at all. In the year 1947 I came to know that persons juniors to me, were promoted to higher posts and accordingly I presented my case to the Public Health Engineer and as a result, I was transferred as senior clerk in the Temporary Establishment and posted to Dharwar in April 1948.

4. Though I got a post of the senior clerk, the question of my seniority in the new Circle was not solved. Junior persons were already promoted to senior accounts grade before my promotion as stated in para 3 above and accordingly I presented my case again to the Public Health Engineer for due consideration of my seniority, but unfortunately I could not get a satisfactory reply. The P.H.E., however, referred my case to Government and as a result the Government issued instructions to P.H.E. to fix my seniority in the Public Health Circle from 1941, i.e. the date from which I was made a permanent clerk in the Thana Division as stated in para 2 above (Vide Govt. P.W.D. letter No. 5/92/2875-E (II) dated 27.1.49 Copy P 35 enclosed herewith).

5. Unfortunately, the Government orders were not given effect to in the Public Health Circle and as a result my juniors were promoted to permanent establishment in the senior accounts clerks grade and I continued to work as temporary senior accounts clerk at Dharwar. Had my seniority as per Government orders been regulated then only, this analogy of supercession would not have arisen at all.

6. As the promotions in the case of junior clerks adversely effected my case, I had to represent my case again to the Secretary to Government of Bombay, through

the proper channel in JAN. 1950; but no reply was received. Perhaps, the application was not forwarded to Government for orders. I, therefore, applied again through proper channel with an advance copy to Government. This application was, however, dealt with confidentially by the P.H.E. and I was given a reply that Government is not prepared to re-fix my seniority as Senior Clerk with effect from 29.3.41 and that my request cannot be granted.

7. Since the correspondence was dealt with confidentially, I am not in a position to know the basis on which the previous orders of Government to fix my seniority were reversed. Moreover, the second order does not also make mention from which date my seniority is proposed to be fixed.

8. Summing up the above, I have, therefore, to state that -

(a) I was already made permanent clerk in the year 1941 and was on deputation to temporary post (copy attached) and as such, I hold a lien on the substantive appointment under para 18-B of the B.C.S.Rules, as no order of termination of my lien in the Northern Circle were issued. Had such orders were issued and noted in my service book, I would have opted for re-patriation in the parent circle, instead of continuing on temporary establishment.

(b) I was absorbed in the Public Health Circle as a Sub-Divisional Clerk and Cashier from 29.3.41 as can be seen from the perusal of Ex.engineer Poona Water Work's order No. 151 dated 21.4.48 (Copy attached for kind perusal). P41

(c) Government have once fixed my seniority from

54-2-53

29.3.41 as a permanent junior clerk (Vide para 4 above

(d) Being on deputation as cashier carrying higher scale and higher responsibilities than attached to the post of a clerk, my services as a cashier, do count for increments and further promotions in my permanent post of clerk according to rule 50 (c) and Instructions 2 (i) of Rule 71 of B.C.S.Rules, Vol. I.

(e) I am incontinuous Govt. service since 1935.

(f) My services were transferred to P.H.Circle in the interest of Public Service permanently.

(g) On the face of the Govt. orders contained in Govt. P.W.D. letter No. S/92/2875/E (II) dated 27-1-49 to regulate my seniority from March 1941, the clerks junior to me, some of whom were made permanent on subsequent date of Govt. letter, were also promoted to higher permanent posts earlier than I. (a list attached for kind perusal).

Taking the above facts, I humbly appeal under reference to para 57 (5) of Conduct and Discipline Rules of Govt. servants, that HIS EXCELLENCY, will GRACIOUSLY be pleased to reconsider my case and restore my seniority and promotions with effect from 29.3.41 and issue orders to re-fix my pay and seniority in the Public Health Circle by giving effect to the original Govt. orders, so that my long and concious services in the department would be considered for promotions and pension papers also.

Hoping to be excused.

I beg to remain,
Sir,
your most obedient servant,

Dharwar
20th March 1952.

Enclosures:-

1. Copy of Govt. Letter No. S.92/2875-E (II) dated 27-1-49.
2. S.E.N.C.Bombay's order No. G/62/D/65 dated 3-5-41.
3. Govt.'s Revised orders.
4. E.E.Ponakarewhose Govt order no 157
5. Statement how the seniority is affected.

Respectfully submitted through The Executive Engineer, Karnatak Public Health Works Dn., Dharwar.

53 7

Copy of this office letter No. KSD-33/4918, dated the 29th April 1952, to the Executive Engineer, Karnatak Public Health Works Divn., Dharwar, re: Seniority of Shri S.B.Joshi, Senior Clerk.

Reference: Your endorsement No. G-7(e)A/2232, dated the 1st April 1952, and the petition of Shri S.B.Joshi, received thereunder.

2. Before the petititon of Shri Joshi is passed on to His Excellency the Governor of Bombay, the following facts may be brought to his notice.

(i) A seniority list of permanent Senior Clerks as it exists today is forwarded herewith showing the relative seniority of Shri Joshi fixed in accordance with Government letter (Confidential) P.W.D. No. NS/93-2626-F, dated the 4th February 1952. Since Shri Joshi had his lien in the Bombay Circle till the 1st October 1948, it was upto that Superintending Engineer to consider his claims for promotion etc. in his Circle. It appears that Shri Joshi did not earn any promotions in the Bombay Circle and as such, his lien was transferred to this Circle in the cadre of junior clerk only and his seniority inter alia fixed on 1-10-1948. He therefore, cannot be allowed seniority over the persons who were working as Senior Clerks on 1-10-48, irrespective of the fact that he has a longer service at his cfedit. His seniority as fixed in annexed statement does not, therefore, need any modification.

(ii) The comparative statement attached by Shri Joshi to his petition is not correct. A statement showing the correct information is forwarded herewith.

In view of the above please ascertain and report if Shri Joshi still insists on representing his case to His Excellency the Governor or withdraw the petition.

Early reply is requested.

D.A. 2.

"TRUE COPY"

Head Clerk to the
Public Health Engineer
to Government.

DWK/2-7-52.

Seniority list of substantive permanent Senior Clerks (Rs.92-8-140) as it stood on the 1st March 1952, in the Public Health Circle.

No.in order of seniority.	Name.	Pay.	Date of confirmation.	Where working.
1.	Shri D.M.Kshirsagar.	140	1-5-1945	Eastern P.H.Works Dn. (now Offg.S.A.C.,Poona Drainage Sub-Divn.
2.	Shri V. Rodricks.	132	1-5-1945	Eastern Public Health Works Divn.,Nasik.
3.	Shri B.G.Godhankar.	132	1-10-1945	Kirkee Water Supply Sub-Divn.,Kirkee.
4.	Shri S.S.Kulkarni.	132	1-2-1946	Central P.H.Works Dn., Poona(now offg.S.A.C. same office).
5.	Shri K.B.Ashtaputre.	124	1-4-1946	Central Public Health Works Divn.,Poona.
6.	Shri V.M.Deshpande.	132	1-8-1946	Eastern P.H.Works Divn. (now Offg.S.A.C. same office).
7.	Shri G.G.Godbole.	124	1-5-1949	Central Sanitary Project Sub-Divn.,Poona.
8.	Shri V.G.Joshi.	124	1-5-1949	P.H.E's office. (now Temp. S.A.C.,Northern P.H.Works Divn.,Surat).
9.	Shri V.N. Pol.	124	1-5-1949	Boring Sub-Divn., Ahmedabad (now Offg. S.A.C.Salsette W.S. Sub-Divn.,Andheri).
10.	Shri P.S.Ranade.	124	1-5-1949	Ambernath W.S.Sub-Divn., (now Offg. S.A.C., Dapuri Workshops).
11.	Shri R.N.Guhagarkar.	124	1-5-1949	Eastern Public Health Works Divn.,Nasik.
12.	Shri I.C.Viegas.	124	1-5-1949	P.H.E's office.
13.	Shri H.B.Mahajan.	124	1-5-1949	Central P.H.Works Dn. (Now Offg.S.A.C.).
14.	Shri S.B.Joshi.	124	1-5-1949	Central P.H.Works Divn., (now Temp. S.A.C., Karnatak P.H.Works Divn., Dharwar.
15.	Shri S.B.Honnatti.	124	23-5-50	P.H.E's office.
	(Ex-State Servants)			
16.	Shri V.M. Bhavsar.	116	—	P.H.Works Dn.(N.G.), Baroda.
17.	Shri K.H. Shah.	108	—	-do-
18.	Shri K.P.Kulkarni.	108/-	—	-do-
19.	Shri R.M.Patel.	108	—	City Sanitary Sub-Divn., Baroda.

P.T.O.

No.in order of Seniority.	Name.	Pay.	Date of confirmation.	Where working.
20.	Shri H.M. Bhavsar.	108	—	Distt.Sanitary Sub-Divn., Baroda.
21.	Shri Z.A. Patel.	108	—	Gujarat Mech. Sub-Divn., Baroda.
22.	Shri B.C.Desai.	108	—	Kalol Sanitary Sub-Divn., Kalol.
23.	Shri S.M. Waghalu.	108	Awaited —	Amreli Sanitary Sub-Divn., Amreli.
24.	Shri D.V. Pachalag.	108	—	Sholapur Sanitary Project Sub-Divn., Sholapur.

TRUE COPY

Head Clerk

to Public Health Engineer.

COMPARATIVE STATEMENT OF SENIORITY OF S.B.JOSHI WITH SOME OF THE CLERKS IN THE PUBLIC HEALTH CIRCLE PROMOTED TO SENIOR ACCOUNTS CLERKS' POSTS.

	Shri Honatti.	Shri Nagpurkar	Shri Mudliar.	Shri R.M. Sathe.	Shri Deshpande.	Shri S.S. Kulkarni.	Shri V.G. Joshi.	Shri D.M. Kshirsagar.	Shri S.B. Joshi.
1. Year of Entry in service.	1945	1942	1938	1939	1938	1934	1940	1925	1935
2. Year of making permanent in Clerical Cadre.	1950	1944	1943	Som'	1945		1945	1945	1941
3. Year of Promotion to Senior Cadre.	1948	1945	1945	1945	1948		1947	1947	1948 April.
4. Year of Promotion to Senior Accounts Clerk's post.	1948	1947	1947	1947	1949	1948	1950	1948	1950 July.
5. Made permanent in post of S.A.C.	—	1950	1949	1949	—	—	—	—	—
6. Promoted to the grade of 140-10-190.	—	1949	1950	1951	—	—	—	—	—

45

TRUE COPY

Head Clerk
to Public Health Engineer.

59 '53

To
Inward No 5921
File No G-7-CS
Date 27-5-52
K P H. W. Dn. Dwr.

The Public Health Engineer
to Government of Bombay
F O O N A

Subject:- Seniority of S. B. Joshi
in Public Health Circle.

Respected Sir,

P.45 In acknowledging the receipt of your no. H.S.E.33/4918 dated 29th April 1952, I beg to state as:-

I am transferred to the Public Health Circle with effect from 21-10-1945 A.N.. This transfer was made neither on my personal request, nor as a punishment to me. It was purely meant in the interest of Public Works; and as such my seniority in P.H.Circle in the permanent cadre of clerks might have been fixed from 21- 10 1945 with due regard to my lein to permanent post since 1941 and my meritorious service since 1935; and further promotions be given accordingly.

The E.E.Bombay delayed in transferring the lien is an administrative mistake. It was also necessary for the new controlling officer to enquire in the matter then only as my service book was transferred to him on my transfer to him which clearly shows my lien to the permanent clerical post. At least if I were made aware of this, I would have moved the matter then only; but unfortunately the information is being furnished to me at this stage after a correspondence for about four years. Thus it will not be reasonable to penalize a poor clerk for none of his faults.

It is stated that I had not earned any increments in the Bombay Circle. But this may not affect me in getting promotions in P.H.Circle which become due by virtue from the date of my transfer to that circle. My request to fix my seniority as above is just and according to rules.

In the circumstances if there are any difficulties in fixing my seniority in P.H.Circle as explained above the application in question may be forwarded to the higher authorities together with a copy of this letter and your favourable recommendations.

I.T.C.

60

Hoping to be excused.

I beg to remain
Sir
Your obedient servant.

S B Joshi
i.e. S. B. Joshi

Dharwar
26/5/52

Respectfully submitted through the Executive Engineer Karnatak Public Health Works Division Dharwar.

No.G-7(e)/A/ 3946 of 1952.
Karnatak Public Health Works Dn.
Dharwar, 31/5 May 1952.

Forwarded with compliments to the Public Health Engineer to Government, Poona for favour of disposal.

Executive Engineer,
Karnatak Public Health Works Divn.

KPS/30-5-52.
6071

67 2.15

Below application dated the 20th March 1952, from Shri S.B. Joshi, Senior Accounts Clerk, addressed to His Excellency the Governor of Bombay, received under the Executive Engineer, Karnatak Public Health Works Division, Dharwar's endorsement No. G-7(e)A/2232, dated the 1st April 1952.

-oo-

No. KSD-33/8082 of 1952,

Poona 1, 4th July 1952.

Passed on with compliments, to the Chief Engineer, Public Works Department, Bombay, with reference to the correspondence ending with Government letter (Confidential), Public Works Department No. NS-93/23883-F, dated the 14th March 1952. p 33

2. The case has been reported at length in my endorsement (confidential) No. KSD-33/C-350, dated the 11th October 1951, and I think that the orders of Government issued in Public Works Department letter (Confidential) No. NS-93/2626-F, dated the 4th February 1952, need no revision. The clerk's request for considering his claims for promotion in this Circle with regard to his substantive appointment under the Superintending Engineer, Bombay Circle, has already been refused by Government after full consideration. pp. 13-14 p. 21

3. Copies of further correspondence which passed between this office under No. KSD-33/4918 of 29-4-52 and Shri Joshi's reply thereto, are also forwarded herewith for information of Government. p. 53

pp 59-60

D.A. Petition and copies of correspondence refd.to above.
DWK/3-7-52.

xx
Public Health Engineer
to Government.

-oo-

NS 93/63474.

P. W. D.
"F"

Shri S.B.Joshi, tempoary Snr. Accounts Clerk has appealed to the Govt. of Bombay, for refixation of his seniority from 28th March 1941 and the grant of difference of pay based on promotion due according to the refixed seniority. The facts of the case are as under:-

2. Shri Joshi was confirmed as a Junior Clerk in Bombay Circle in the year 1941, when he was officiating as a Cashier. In 1945 Shri Joshi was transferred to the P.H. Circle along with the Salsette Water Supply Sub-Division. Shri Joshi's lien was maintained in the Bombay Circle till 1948 whereafter he was absorbed on the permanent clerical establishment in the P.H.Circle. Shri Joshi's seniority in the P.H. Circle was fixed by the P.H.E. vis-a-vis other Jr. Clerks and was promoted to the post of a Snr. Clerk.

3. Shri Joshi represented in 1948 that as a result of his seniority not being fixed correctly he had been put to great hardship as his juniors were given promotions earlier than him. After considering the question in detail it was decided that Shri Joshi's seniority should be considered from the date he was taken on the permanent estabt. of the B.C. and should be given due promotion in the clerical estabt. in consideration thereof vide G.L. No. S 92/2875-E (II), dated the 27th January 1949, and the notes underlying it. As the P.H.E. did not give effect to the orders issued above, Shri Joshi again represented to Government stating that his juniors had been promoted as Senior Accounts Clerk and that his seniority had been ignored. Shri Joshi in his representations therefore, requests that his seniority be refixed

and...

and he be given the difference of pay based on promotion due according to the refixed seniority. Shri Joshi's requests were considered and negatived vide G. No. NS 93/2626-F, dated the 4-2-1952, and the notes underlying it.

4. As stated above clear orders were issued in G.L. No. S.92/2875-E, dated the 27-1-49, that Shri Joshi's seniority should be considered from the date he was taken up on the permanent establishment of the Bombay Circle ie. from the 29th March 1941. It will be seen from the P.H.E.'s endorsement at p. 13 ante, that these orders were not correctly interpreted by him and he left it to the S.E., B.C. to give the necessary promotions to Shri Joshi in his circle and intimate him (the P.H.E.) to that effect. As it is this was not done and Shri Joshi went without any promotions either in his parent Circle or in the new Circle. The P.H.E.'s contention seems to be that as long as Shri Joshi's lien was retained in the B.C. he is entitled only to those promotions which he would have got in the present circle but for the transfer. This does not seem to be correct. The P.H.E. should have fixed Shri Joshi's seniority vis-a-vis other jr. clerks in his Circle on the basis of his confirmation as a Junior Clerk. In other words he should rank in seniority below the last Junior Clerk in the P.H. Circle who was confirmed prior to 29-3-41, which is the date of Shri Joshi's confirmation The P.H.E. may be requested to refix Shri Joshi's seniority accordingly and to grant him promotions based on that seniority. The promotions may however be given effect to from the date,

They....

they are ordered and Shri Joshi's request that he should be given the difference in pay for the period these promotions were to him, may not be granted.

5. The F & S. D. may see u.o.

M.I.B.
22.7.52.

23-7-52

2

D.S.

V u.o.v. 25-7-52

Cable file No. S-92-PI(D)

POLITICAL SERVICES
I
File No. PWD NS 93/63404
D 25 JUL 1952
Serial 9844

26-7-52

DS

28-7-52

F
29-7
P. W. D.
File No. NS93
Serial No. 70750

NS 93/70750
P.W.D.

F.Br.

pp. 63-65

Submitted with ref. to this Deptt. u.o.r. dated the 28.7.52. 065 P. 67

2. The P.& S.D. having agreed, the draft put up may issue if approved.

6/8/52

D.S.

Dy. C.E.

C.E. (Planning)

Secy.

Min x 21/8

LETTER.

Confdl.
No. NS93/70750 F.

P. W. D.
B.C.(Bombay No.1),
26th Aug. 1952.

To

The P.H.E.to Govt.

Sub: Representation from Shri S.B.Joshi, Senior Accounts clerk for refixation of his seniority etc.

---------- P61

Ref: Your endt.No.KSD-33/8082, dated the 4.7.52.

2. The orders issued in G.L.No.NS 93/2626-F, dated the 4.2.1952, should please be treated as cancelled. P.21

3. Shri S.B.Joshi's seniority vis-a-vis other Jr.clerks in the P.H.Circle should be refixed as directed in G.L. No.S.92/2875-E(II), dated the 27.1.49, taking into account the date on which Shri Joshi was made permanent in the Bombay Circle, viz. 29.3.1941. In other words Shri Joshi should rank in seniority below the last Jr.clerk in the P.H.Circle who was confirmed prior to 29.3.41.

X Flag A
S.92-II
13-2-51
ff 13-14

4. You are requested to grant promotions to Shri Joshi on the basis of the revised seniority. These promotions should be given effect to from the date they are ordered. However No difference in pay should be paid to Shri Joshi for the period these promotions were denied to him. Shri Joshi should please be informed accordingly.

5. The revised seniority as fixed by you and the promotions granted to Shri Joshi should please be reported to Government.

By order of the Govr.of Bombay,

Dy. Secy. to the Government ofBombay,
P.W.D.

VPA.
4.8.52

D.A:Nil.

6/8/52.

Letter.

Confidential.
No. NS 93/70750-F

Public Works Department,
Bombay Castle (Bombay No.1),
26th August 1952.

To

The Public Health Engineer to Government.

Subject:- Representation from Shri S.B.Joshi, Senior Accounts Clerk for refixation of his seniority etc.

Reference: Your endorsement No.KSD-33/8082, dated the 4th July 1952.

2. The orders issued in Government Letter No.NS 93/2626-F, dated the 4th February 1952, should please be treated as cancelled.

3. Shri S.B.Joshi's seniority vis-a-vis other Junior clerks in the Public Health Circle should be refixed as directed in Government Letter No.S.92/2875-E(II), dated the 27th January 1949, taking into account the date on which Shri Joshi was made permanent in the Bombay Circle, viz. 29th March 1941. In other words Shri Joshi should rank in seniority below the last Junior clerk in the Public Health Circle who was confirmed prior to 29th March 1941.

4. You are requested to grant promotions to Shri Joshi on the basis of the revised seniority. These promotions should be given effect to from the date they are ordered. No difference in pay should however be paid to Shri Joshi for this period. Shri Joshi should please be informed accordingly.

5. The revised seniority as fixed by you and the promotions granted to Shri Joshi should please be reported to Government.

By order of the Governor of Bombay,

26/8/52

Deputy Secretary to the Government of Bombay,
Public Works Department.

BVK.
26.8.52.

D.A.-Nil.

Issued
26/8/52

Office Order No. 253 of 1952,

Poona 1, 5th November 1952.

In accordance with the orders of Government issued in P.69 Public Works Department Confidential letter No. NS-93/70750-F, dated the 26th August 1952, Shri S.B.Joshi, Permanent Senior Clerk at the Central Public Health Works Divn., Poona, is appointed as substantive permanent Senior Accounts Clerk on the permanent establishment of the Salsette Water Supply Sub-Divn., Andheri, on Rs. 132/- in the scale of Rs. 100-8-140-10-150, without any change in the date of next increment.

2. He should continue to work as Senior Accounts Clerk on the temporary establishment of the Karnatak Public Health Works Division, Dharwar, as heretofore.

3. His lien in the above-substantive post of Senior Accounts Clerk is also hereby [redacted] accordance with rule 18(B) of the B.C.S.Rs. [redacted] ng arrangement already in vogue in that post, sho[redacted]

4. The seniority of Shri S.B.Joshi as Senior Accounts Clerk has provisionally been fixed below that of Shri K.V.Kulkarni.

5. These orders should take effect from the date of these orders.

Sd/- S.E.WADIA,

Public Health Engineer
to Government.

D.A. Nil.
DWK/5-11-52.

-oo-

No.A-1-33-G/Case/3430 of 1952, Poona 1, 5 November 1952.

Copy forwarded with compliments, for information, to:-

1. The Chief Engineer (Irrigation), Public Works Department, Bombay 1.

2. The Accountant General, Bombay-1.

Public Health Engineer
to Government.

D.A. Nil.
DWK/5-11-52.

Copy forwarded with compliments, for information, to:-

1. The Superintending Engineer, Karnatak Irrigation Circle, Dharwar.

Shri S.B.Joshi, continues to be borne on the consolidated list for the Karnatak Zone as heretofore, as he is actually working in that zone.

2. The Executive Engineer, Karnatak Public Health Works Divn., Dharwar.

3. The Executive Engineer, Central Public Health Works Divn., Poona.

The permanent post of Senior Clerk rendered vacant by Shri Joshi, is being filled up according to seniority.

NS 93/105406

P.W.D

F. Br.:-

Submitted for information

Record

10/11/52

A.S. (I)

7/11

E

6-11

NS93

105406

F

6/11

Confidential. No. HSD-33/C-64 of 1953.

Poona 1, 2nd ~~February~~ March, 1953.

To

The Chief Engineer (Irrigation),
Public Works Department, Bombay 1.

Subject :- Representation of Shri.S.B.Joshi, Senior Accounts Clerk for refixation of his seniority etc.

(DF-10, A
NS 93-XXIV-1953
P 223

Reference - Government letter, Public Works Department No.NS.93/70750-F dated the 20th August, 1952.

2. Government orders that Shri S.B.Joshi's seniority vis-avis other Junior Clerks in the Public Health Circle should be refixed, taking into account the date on which Shri.Joshi was made permanent in the Bombay Circle viz. 29-3-1941 are noted. But it is pointed out that it would be practically impossible to give effect to these orders literally in as much as severalsubstantive appointments to Senior andSenior Accounts Clerks posts were ordered between April 1941 and October 1945 when the Salsette Water Supply Sub-Division, on which establishment Shri.Joshi, was borne, was not at all under the control of the Public Health Engineer. Besides, during the period from September 1945 to November 1948 Shri.Joshi was working as a Cashier on temporary establishment and had no lien on any clerical post in the Public Health Circle. Even under these circumstances with a view to redress his grievances as far as possible, Shri.Joshi was appointed as a Senior Clerk on the temporary establishment of the Karnatak Public Health Works Division in April 1948, and promoted as Senior Accounts Clerk on the same establishment in July 1950. The question of absorbing him in the permanent clerical cadre of the Public Health Circle arose only when the Superintending Engineer,Bombay Circle enquired of this office, whether Shri.Joshi could be absorbed in thepermanent clerical cadre of Public Healthcircle or whether he would revert to his substantive post in the Bombay Circle. From the Superintending Engineer, Bombay Circle's letter referred to - copyof which is enclosed for refereme, it is evident that Shri.Joshi held a substantive post only in the grade of Rs.30-5/3-75 and that he was not considered for promotion to any higher grade clerical post in the Bombay Circle. As it was thought fit to retain his services in the Public Health Circle, since he had been transferred to this Circle along with the Salsette Water Supply Sub-Division, the Superintending Engineer, Bombay Circle was informed accordingly and immediately thereafter he was confirmed in this Circle as a Junior Clerk with effect from 1-10-1948. Having regard to his long service, he was also promoted as a permanent Senior Clerk on 92-8-140 with effect from April 1948 and on receipt of Government orders as contained in its letter of 20-8-1952, he hasbeen promoted as a permanent Senior Accounts Clerk with effect from 5-11-1952 and his pay in this grade has been regulated with reference to the date of his promotion as a Senior Accounts Clerk.

X Not received

X

Not in NS 93-XXIV-52 P 191 (copy)

3. Shri.Joshi,however, contends that he should be considered to havebeen granted promotions as and when they would have been due to him had he been in this Circle since 29-3-1941 and his pay as Senior Accounts Clerk be fixed at the maximum of the scale viz. Rs.150/- as he would haveheen promoted to that post much earlier. This is impratticable much less possible as it would involve revoking promotions aoready granted prior to Shri.Joshi's transfer to this Circle as otherwise there would be no post of Senior Accounts Clerk available for him. He has,therefore, been granted promotion in the first available post after receipt of Government orders in P.W.D. Confidential Letter No.NS-93/70750-F dated 20-8-52 and his pay fixed on the date on which orders were passed by this office viz. 5-11-1952. His seniority has,however, irrespective of his pay, been fixed as directed by Government.

P.T.O.

Shri.A Joshi's request to fix his pay at the maximum of the scale of Senior Accounts Clerk cannot, therefore, be granted. The effect given to Government orders as above may please be approved.

D.A.Nil.
28-2-53.

Public Health Engineer
to Government.

P. W. D.
File No. NS 93
Serial No. 25707

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NS 93/25707

P.W.D.
"F"

× Flg F
No 19-K-52
f. 223

In G.L. No. NS 93/70750-F, dated the 26.8.52, the P.H.E. to Govt. was requested to refix the seniority of Shri S. B. Joshi, Snr. Clerk, by taking into account the date of his confirmation in the B.C. viz., 29.3.41. He was also requested to grant promotions on the basis of his revised seniority. The promotion to which Shri Joshi would thus be entitled was to be given effect to from the date/ ~~they were ordered~~ it was ordered. No difference was to be paid to him.

2. The P.H.E. to Govt. states (P.1) that in accordance with the orders issued in the G.L.× refd. to above, Shri Joshi has been appointed as a permanent Snr. Accounts Clerk from 5.11. 1952, and his pay fixed at the next higher stage in the scale of Snr. Accounts Clerk viz., Rs. 132/- p.m. in the scale of Rs. 100-8-140-10-150. In para 2 of his letter (P.1) the P.H.E. - states that it is not literally possible to give effect to the orders in the G.L.× refd. to above as/ ~~general~~ several substantive appointments of Snr. Clerks and Snr. Accounts Clerks were ordered from the time Shri Joshi was transferred to P.H. -- Circle. In the orders issued in G.L. No. NS 93/70750-F×, dt. the 26.8.52, it was not intended that the several orders already issued by the P.H.E. should be revised. It was meant to imply that Shri Joshi should be given the promotion admissible to him from the date/ ~~they are~~ it was actually ordered. The substantive appointments ordered by the P.H.E. are not to be disturbed. It seems from the P.H.E's letter that Shri Joshi has now claimed the pay admissible to him had he been granted promotions in the normal course. So long as Shri Joshi has not actually worked in the higher posts due to him, he is not entitled for any increments during this period. Shri Joshi's request to be granted Rs. 150/-, the maximum of the pay scale viz., Rs. 100-8-140-10-150 will have to be

'A'

negatived.....

4

negatived. The action as taken by the P.H.E. may be 1A

approved.

S.G./17-3-53.

17/3/53.

may be done as per 'A-A' on page 3+4. Draft 3/53,

D. S.

C.E.(R.&B.)

C.E.(I)

Secy.

F.13r.

pp.5-6 Resubmitted with the necessary draft for approval

28/3/53.

D.S.

Letters NS 93/25707

For further reference pl. see file No. S-93/14598 of 1954.

No. NS 93/25707 F. 731

P.W.D.,
B.C. (Bbay No. 1),
31 March 1953.

To

The P.H.E. to Govt

Subject:- Representation from Shri S.B. Joshi, Senior Accounts Clerk, for regixation of his seniority, etc

pp. 1-2

Refce Your Letter No. KSD-33/C-64, dt. the 2-3-1953.

2. Shri S.B. Joshi, Senior Accounts Clerk, should please be informed that his request to fix his pay at.

at the maximum of the scale of Snr. Accounts Clerk, cannot be granted.

3. The effect given to Govt. orders as pointed out in your letter under reference, is ~~also~~ approved.

By order and in the name, etc.

Dy. Secy. to the Govt. of Bbay, P.W.D.

D.A.—Nil

28/3/53

For further correspondence see file No. S-93/14 S98 of 1954.

ISSUED